
Harris County Justice Courts

Request for Tow or Boot Hearing

Texas Occupations Code Chapter 2308, Subchapter J. -- Rights of Owners and Operators of Stored Vehicles

Instructions: The owner or operator of a vehicle towed and placed in a vehicle storage facility, or booted, without consent, is entitled to a hearing on whether probable cause existed for the removal or booting of the vehicle. Any Justice Court in the County in which the vehicle was towed or booted may hear the case and the Harris County Justice Courts have centralized the filing and hearing of these cases. A person entitled to a hearing must deliver a written request for the hearing to the **Harris County Justice Courts Central Case Processing Unit, Harris County Criminal Justice Center, 1201 Franklin, 7th Floor, Houston, Texas 77002**. The request for hearing must be delivered before the 14th day after the date the vehicle was removed and placed in the vehicle storage facility, or booted (not counting Saturdays, Sundays and legal holidays) or the right to a hearing is waived. The Request for Hearing must be completed with specified information. The Central Case Processing Unit accepts filings **Mondays through Thursdays from 7:30 a.m. to 3:30 p.m., and Fridays from 7:30 a.m. to 2:00 p.m.**

At the time of filing, a fee of \$30 (\$20 filing fee and \$10 statewide electronic filing system fund fee) must be paid by cashier's check or money order payable to the Harris County Justice Courts. The Central Case Processing Unit does not accept cash.

A parking facility owner may be a natural person – an individual, or a person doing business in the form of a sole proprietorship or partnership, or a corporation, or some form of limited liability company. The legal nature of the business determines how notice is to be directed and upon whom the notice is to be served.

Except for sole proprietorships and partnerships, every business operating in Texas is required to make a filing with the Texas Secretary of State. Individuals, partnerships, corporations, or other business entities doing business in another name must file an assumed name certificate in the county.

To determine the legal nature of a business entity, you may:

- Go to the Assumed Names Records maintained by the Harris County Clerk
- Contact the Corporation Division of the Office of the Secretary of State at 512-463-5555, or go to the Texas Secretary of State's web page, at <http://www.sos.state.tx.us/corp/publicinfo.shtml>, to contact a public information specialist.
- Contact the Office of the State Comptroller at 1-800-252-1386.

***You must attach a copy of the Receipt from the Towing Company or Vehicle Storage Facility.**

Tow Trucks, Operators, Vehicle Storage Facilities and Booting Companies are licensed by the Texas Department of Licensing and Regulation. For questions, complaints, or additional information about go to <http://www.license.state.tx.us/towing/towing.htm> or call the TDLR at 800-803-9202.

For a complete listing of the Harris County Justice Courts, or further information go to: <http://www.jp.hctx.net> or call 713-755-2861.

Request for Hearing under Chapter 2308, Texas Occupations Code (Rights of Owners and Operators of Stored or Booted Vehicles)

Name of Vehicle's Owner or Operator: _____

Address: _____

City: _____ State: _____ Zip code: _____

Daytime Telephone _____ Cell: _____ Fax: _____

Email address: _____ The person requesting the hearing is the owner operator of vehicle

Description of Vehicle – Make: _____ Model: _____ Year: _____

License Plate – State: _____ Number: _____ Date towed or booted: _____

Location from which Vehicle was towed or booted: _____

Name of Parking Facility from which Vehicle was towed or in which Vehicle was booted: _____

Parking Facility Owner Authorizing Removal

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Law Enforcement Agency Authorizing Removal

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Instructions: Complete only if you do not have a Receipt from the Vehicle Storage Facility

Vehicle Storage Facility in Which the Vehicle Was Placed

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Do you have possession of the vehicle? Yes No

Towing Company That Removed the Vehicle or Booting Company that Installed the Boot on the Vehicle

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Booting Company Installing Boot on the Vehicle

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Please check the appropriate information:

- I paid the costs of the tow and storage in the amount of \$_____.
- I have attached a copy of the receipt and/or of the notification of rights to this Request for Hearing.
- I have attached photograph(s) that show the location and text of signs posted restricting the parking of vehicles.
- (If the Vehicle was removed from a parking facility) I have attached photograph(s) that show the location and text of signs posted restricting the parking of vehicles at the parking facility.
- I want to recover the costs of the photographs in the amount of \$_____.
- No signs restricting parking were posted at the parking facility.
- I was charged or paid a towing charge greater than the amount authorized. I paid a Towing Charge of \$_____.

*Describe the circumstances of the tow: _____

SIGNED on _____

Signature of Owner/Operator of Vehicle